

DIRECTOR OF CENTRAL INTELLIGENCE  
Security CommitteeSECOM-D-218  
22 May 1980

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MEMORANDUM FOR:

[REDACTED]  
Resource Management Staff,  
Policy Guidance Office

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FROM:

[REDACTED]  
Executive Secretary

SUBJECT:

Clearances

1. This memorandum is to provide you with a rehash of some of the points we discussed on Monday, 19 May relative to the broad field of "clearances". It will permit me to be a bit more specific and hopefully add an element of distinction between my personal views and official actions.

2. Your perception is appropriate that there may be a role for Resource Management in the broad field of "clearances" as we enter into the arena of resource discussions at the community level. But we are no way near that stage yet. Let me give you a short background statement, detail current actions and a projection of what is at the end of the path we seem to be on and how long it will take us to get there.

3. Background: Executive Order 10450 requires that potential civilian employees of the government be loyal and of good character. The details of how one makes the determination are not specified. There is no mandate for any uniform background investigation, but something along the line of a background investigation is obviously implied. Departments and Agencies have looked to the Office of Personnel Management (old Civil Service Commission) for leadership, but it has been found wanting. Thus everyone does his own thing.

Within the Intelligence Community there are many routes to "clearances". Here we are speaking about the procedures which result in a department or agency making a conscious determination that an individual merits the trust placed in him by virtue of a need-to-know access to intelligence.

There is confusion within the community based on the lack of a means to separate National Security classified information from National Foreign Intelligence information. So we see the situation when people are given a SECRET level clearance, let us say, in order to learn how many machine guns are carried on the B-1 Bomber. And then ask, does this SECRET level clearance mean that the individual is cleared for the names of CIA agents; has it been demonstrated that the U.S. Government has put its seal of approval at the SECRET level on this person and that he can have access to all and any material classified at the SECRET level? Thinking along this vein gets us wrapped around our own medulla oblongata.

Introduce the all too real matter of parochial interests, turf. Agencies say to each other, in essence, "my SECRET clearance is better than yours. I am not satisfied that you have done enough in your clearance process to assure me that your chaps are loyal and acceptable risks. Before I accept your certification that he is a good type and before I give him access to my SECRET level material, I want to do my own background investigation."

Complicate the matter further by the introduction of the special access programs. For access to SCI related to intelligence sources and methods, the DCI has established a requirement for a uniform personnel security procedure, DCID 1/14, that all Departments and Agencies have accepted as one of the conditions precedent to access to any compartmented program. Over time, programs have proliferated and have become glutted with material. A recent Presidential decision introduced common procedures called APEX. Under the APEX concept, a person still must meet DCID 1/14 standards. Once he does, his access approval for SCI may be transmitted from one department or agency to another without question of the sufficiency of the clearability determination. None the less, when the individual severs relationship (employment or contract) with his sponsoring agency, the SCI access approval is terminated. Should the individual be hired by another department which has

need for his talents, the new Agency must repeat the entire process leading to granting an SCI approval. Accordingly, APEX may be viewed as a resolution in part to problems associated with document security but not as a resolution to all problems associated with personnel security processing.

The myriad approaches throughout the government to personnel security and the corresponding advocacy of provincial perceptions sounds a cacophony of illogic. The disparate procedures are resource bound and are frequently portrayed as determined by resource allocations. But this is not the whole problem as we have seen.

One issue that has not been mentioned above and which has a bearing relates to an inherent desire by the Intelligence Community to have good personnel security. There is no Department or Agency that believes its point of view or its procedures would deliberately introduce a bad apple. Thus the community seeks a panacea in terms of relativity of how much is enough; how much work has to be done to arrive at a fair determination that the candidate for access is not going to do the Intelligence Community harm. Depending on one's position one gets a different view and so arrives at a different conclusion.

From some positions taken by Departments I am not sure that all Agencies believe that we have a problem. I suspect that some Agencies fail to recognize that if we seriously want to move ahead, we must do it as an integrated U.S. entity rather than as a loose confederation of mutually distrustful independent agencies. Even if all agencies accept the theoretical advantages of common standards, perception of benefits is not of equal strength, compromises of positions are not freely given and the only agreed to procedure is that the other fellow should change.

4. Current Status: Within this framework there are forces at play that take the community down multiple paths but leading to the same destination, hopefully.

a. GAO has asked the Defense Investigative Agency to cut back on costs of investigations either by doing fewer or by reducing the scope. This stimulant has led DoD to explore and propose ways to do investigations more cheaply.

b. The HPSCI staff studied the investigative procedures in the government. Without consideration of costs, the HPSCI made recommendations that point to a willingness on their part to support a more standard approach. The DCI Security Committee responded to HPSCI saying that we would study the recommendations and be back to them. Unfortunately, DoD elements did not concur in this approach and did not endorse the idea of a response or (by extension) agree to study the recommendations.

c. The Security Committee itself has undertaken a review of the investigation procedures. Some 5,000 cases were analyzed to factor the component elements of the investigation. While the Security Committee itself has not yet addressed some of the recommendations made by its Working Group that did the study, it would seem that there are some elements of contention. Probably the most serious of which will be the advocacy for expanded use of the polygraph.

d. There is a fourth element to this matter. The Chairman of the Security Committee, concerned with the APEX release at the SECRET level of considerable volumes of previously compartmented intelligence, raised before the NSC SCC/CIWG, the uneven investigations being conducted in the community. The SCC/CIWG tasked the Security Committee Staff, acting for the SCC/CIWG to study the problem from a Government-wide viewpoint and make recommendations for a national clearance/investigative standards policy for the entire government. Deadline for this action is 15 June 1980. We have a draft under review in house. From a personnel viewpoint, our approach is reasonable and logical. From a historical viewpoint, it probably won't be viewed as viable by the Office of Personnel Management, OMB, DoD and other elements with investigative requirements.

I believe that as the community starts acting more and more as a community, sharing information and people among participants, there will be a growing awareness (and even a reluctant endorsement) that personnel security standards and procedures must be held in common. The tiny steps for tiny feet outlined above may be less than desirable, but they are being taken in response to concerns that bear on the overall issue. They might lead to something bigger.

Back to the personal observations. The community will move one of two ways:

a. First, I do not believe there will even be a simultaneous awareness of equal strength that lets the Intelligence Community members to one day soon adopt a new set of personnel security practices, hold them in common respect and optimize the advantages of "community clearances". It will be a long process, earmarked with petty disagreements and grudgingly given concessions as each department holds tightly to and practices its own procedures until the last "i" is dotted and "t" crossed in a community agreement in principle.

b. Alternatively, the APEX system may be viewed as the necessary catalyst to force each agency to accept the others clearance certifications, not only for SCI material, but also for CONFIDENTIAL, SECRET and TOP SECRET without requiring that background investigation procedures be modified at all.

The first has advantages of being a deliberate, albeit slow, recapitulation of existing policies. It will forment a much needed review and update of perceptions about what is suitability and what is security. It will call for a re-evaluation of what is and is not an acceptable lifestyle, what does and does not constitute a "security risk". It will also cause a deliberate examination of the scope and depth of an investigation needed to provide the data base with which to make an adjudicative determination.

It has the disadvantage of taking about 10 years to do.

The second way the Community could go seems to me to be the course which will be followed. It has the advantage of not intruding on the other fellow's turf. It does not require anyone to make concessions and change to either the other guys way of doing business or rocking their own boat. It permits continued autonomy without casting further the shadow of big brother control through centralization. It retains the integrity of perception about uniqueness of missions and does not threaten the essence of independent action. Further, it calls only for each agency to do no more than put aside an unsupportable, if not only viscerally felt, tenet that other agencies do not do as good a job in personnel screening.

It has disadvantages. There are serious questions about the adequacy of some of the community's background investigations. It infers that each agency will have to petition and defend its own resource level in the budget cycle. Little will be done to quell apprehensions about lack of standards. Jealous guarding of prerogatives will dampen enthusiasm for cooperative efforts and the quest for autonomy in this sphere will hinder moves toward community cohesiveness.

Adding all of this together, there does not seem to me that there is an active role for Resource Management at this juncture other than one of support of the steps that are already scheduled. There will come a time when resources will be the focal point issue in the debate. There will be loud and long protestations that optimum or even compromised positions bespeak the need for outrageous manpower and dollar resources. You would have a role here too in ascertaining whether such claims are foul misrepresentations or valid observations. We will remember your exploratory probe and will call your marker at that time to help us.

For now, let me provide you with the documentation I mentioned in our conversation of 19 May 1980. I trust you find it indicative, if not completely representative of the tasking and trends we discussed. Should you have a helpful proposal, one that doesn't chew up our limited assets and one that has a modicum of potential for success, please let me know. I'll gladly consider it.

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